

REMARKS/ARGUMENTS

After the foregoing amendment, claims 19-50 are currently pending in this application. Claims 19-50 have been newly added, and claims 1-18 have been canceled without prejudice or disclaimer. Furthermore, the title of the instant specification has been amended to more accurately describe the claimed invention. The Applicants submit that no new matter has been introduced into the application by these amendments.

Regarding the Examiner's assertion that paragraph [0027] of Cha et al. (U.S. Patent Application Publication No. 2004/0090934) "teaches dedicated voice channels and HSDPA supported by the base stations, which read on one base station having a plurality of timeslots (i.e., channels) assigned," the Applicants strongly disagree. The Applicants respectfully submit that the Examiner's rejection of the canceled claims 1-18 are based on hindsight of the Applicant's invention, since nowhere in the portions of Cha et al. cited by the Examiner are the features of controlling the transmit power associated with individual timeslots or transmission timing intervals (TTIs) disclosed. The Examiner is further advised that a timeslot or TTI is not the same as a channel. A channel is associated with a continuous communication path, whereas a timeslot or TTI is associated with a time period during which a communication may take place over a channel or subchannel.

Cha et al. discloses a base station controller, (e.g., a radio network controller (RNC)), that determines the distribution of a base station's transmit power, wherein a larger percentage of the transmit power is allocated to support wireless users of at least one base station's dedicated voice and/or data channels, and the remainder of the transmit power is allocated to support wireless users accessing high speed downlink power access (HSDPA) services. As disclosed by Cha et al., once this determination is completed, the base station controller communicates to the base

station the initial allocation of transmit power between the dedicated voice and/or data channels, and the HSDPA services. Cha et al. fails to teach or suggest controlling the transmit power level associated with individual timeslots or TTIs.

In accordance with the new claims presented in the foregoing amendment, the Applicants submit that Cha et al. fails to teach or suggest receiving or transmitting at least one control signal indicating at least one maximum allowed HSDPA transmit power level and a plurality of timeslots allocated for the usage of HSDPA channels, wherein the HSDPA transmit power level of each allocated timeslot is not allowed to exceed a maximum allowed HSDPA transmit power level indicated for the allocated timeslot. Furthermore, the Applicants submit that Cha et al. fails to teach or suggest receiving or transmitting at least one control signal indicating at least one maximum allowed HSDPA transmit power level and a plurality of TTIs allocated for the usage of HSDPA channels, wherein the HSDPA transmit power level of each allocated TTI is not allowed to exceed a maximum allowed HSDPA transmit power level indicated for the allocated TTI.

The Applicants further submit that the prior art of record fails to teach or suggest the features of the new claims 19-50 included in the foregoing amendment.

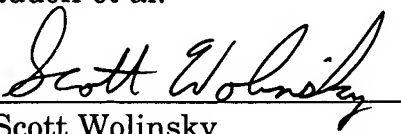
If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

Applicant: Rudolf, et al.
Application No.: 10/806,502

In view of the foregoing amendment and remarks, the Applicants respectfully submit that the present application, including claims 19-50, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Rudolf et al.

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